

REMARKS

Claims 1-16 and 18-43 are pending. Claims 1 and 27 have been amended. Claims 40-43 are newly presented. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Applicants appreciate the courtesies extended to Applicants' Representative by the Examiner during the March 10, 2008 personal interview between the Examiner and Applicants' Representative. During the interview, Applicants' Representative and the Examiner discussed claim 1 and it was agreed that the above amendments would overcome the art of record.

Claim Rejections Under 35 U.S.C. § 103

A. Claims 1-8, 10-13, and 27-39 were rejected under 35 U.S.C. § 103(a) over various combinations of Sony (TCD-D8 1995), Gooch (U.S. Patent No. 5,403,262), Aldeman (U.S. Patent No. 6,041,129), T pholm (U.S. Patent No. 4,947,432), Al-Jassim (1998), Wolf et al. (U.S. Patent No. 4,254,922), Zoels et al. (U.S. Patent No. 6,047,074), Rastatter et al. (U.S. Patent No. 5,961,443), and Girolamo et al. (U.S. patent No. 3,023,388). Applicants respectfully traverse these rejections.

Claim 1 has been amended to recite, in part, a device for providing treatment of an auditory system disorder that comprises a processor configured to reset the volume of the treatment signal to a minimum non-zero value between each treatment session; and a volume adjusting feature that is configured to allow the patient to adjust the volume of the treatment signal at the beginning of each treatment session. As discussed during the personal interview, it is believed that that claim 1, as amended, is allowable over the prior art of record.

Claim 27 is believed to be allowable of at least the reasons presented above with respect to claim 1 since claim 27 recites features that are similar to the features of claim 1 discussed above.

Claims 2-8, 10-13, and 28-39 are believed to be allowable for at least the reasons presented above with respect to claims 1 and 27 by virtue of their dependence upon claims 1 and 27.

Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

Allowable Subject Matter

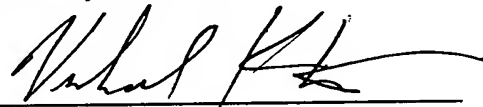
Applicants appreciate the Examiner's indication that claim 9 contains allowable subject matter and would be allowable if rewritten in independent form to include all of the features of their base claims and any intervening claims and that claims 14-16 and 18-26 are allowed. However, in view of the foregoing, Applicants submit that all of the claims (claims 1-16 and 18-43) are allowable.

Conclusion

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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